



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8  
999 18<sup>TH</sup> STREET - SUITE 500  
DENVER, CO 80202-2466

Ref: 8P-HW

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RETURN RECEIPT REQUESTED

APR 20 1999

David C. Frydenlund  
Vice President and General Counsel  
International Uranium USA Corporation  
Independence Plaza, Suite 950  
1050 Seventeenth Street  
Denver, CO 80265

Re: **INITIAL DETERMINATION - ACCEPTABLE**  
Pursuant to the CERCLA Off-site Rule  
For the Ore Pad, the Ore Processing  
Mill, and Tailing Cell Number Three

Dear Mr. Frydenlund:

This letter was written in response to your letter dated March 16, 1999, in which you requested an Acceptability Determination under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Offsite Rule (OSR) for receiving units at the White Mesa Uranium Mill (WMUM) located in Blanding, Utah.

On September 22, 1993, EPA promulgated the OSR which establishes the criteria for determining whether facilities are acceptable for the off-site receipt of CERCLA wastes from response actions, authorized or funded under CERCLA. These criteria involve identifying the existence of relevant releases and relevant violations at the facility. The purpose of the Off-Site Rule is to prevent Superfund wastes from contributing to present or future environmental problems by directing those wastes to facilities determined to be environmentally sound. The OSR is codified at 40 C.F.R. 300.440. Please find enclosed a copy of the OSR, for your convenience.

EPA has evaluated conditions at the WMUM by requesting and receiving compliance and release information from U.S. Nuclear Regulatory Commission (NRC), and reviewing information that the WMUM has submitted pursuant to the Radionuclides - National Emission Standards for Hazardous Air Pollutant (NESHAP) program. This evaluation which was conducted for the purposes of an OSR Initial Determination, has not provided EPA with any information that an environmentally significant release of hazardous substances has occurred at the WMUM. The evaluation has also not revealed that a relevant violation currently exists at the WMUM.



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Pursuant to the CERCLA OSR, EPA finds that the ore pad, ore processing mill, and tailing cell number three at the White Mesa Uranium Mill are **acceptable** to receive CERCLA off-site wastes. Please note that this determination is only valid for these receiving units, any other tailings cells at this facility must be evaluated under the CERCLA OSR prior to receiving CERCLA wastes.

If you have any questions regarding this letter or the CERCLA Off-Site Rule, please contact Terry Brown at (303) 312-6419.

Sincerely yours,



*for* Wanda C. Taunton, Director  
Solid and Hazardous Waste Program

Enclosure

cc: N. King Stablein - NRC  
Dennis Downs - UDEQ DSHW  
Bill Sinclair - UDEQ DRC  
Milt Lammering - 8P-TX  
George Dancik - 8P-HW